

PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: John M. Boushy *et al.*

APPLICATION NO.: 09/777,817

FILING DATE: February 5, 2001

TITLE: NATIONAL CUSTOMER RECOGNITION SYSTEM AND METHOD

EXAMINER: Mark Sager

GROUP ART UNIT: 3714

ATTY. DKT. NO.: 19538-05688

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Dated: August 13, 2003 By: Daniel R. Brownstone
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INFORMATION DISCLOSURE STATEMENT

Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner. Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☐ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;

- ☒ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- ☐ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
 - ☐ attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
 - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
 - ☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
 - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- ☐ before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
 - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
 - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
 - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of

information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

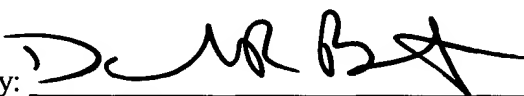
- ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
- ☐ after the payment of the issue fee. Applicant request that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. [APPLICATION NUMBER], filed on [FILING DATE], and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- ☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

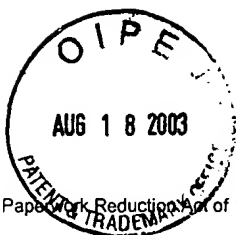
Respectfully submitted,

JOHN M. BOUSHY *et al.*

Dated: August 13, 2003

By: 
Daniel R. Brownstone, Reg. No. 46,581
Attorney for Applicants
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
Tel.: (415) 875-2358
Fax: (415) 281-1350

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Substitute for form 1449A/PTO		Complete if Known			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application No.	09/777,817		
		Filing Date	February 5, 2001		
		First Named Inventor	John M. Boushy <i>et al.</i>		
		Art Unit	3714		
		Examiner Name	Mark Sager		
Sheet	1	of	3	Attorney Docket Number	19538-05688

U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. ¹	Document No. Number – Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A1	US-6,424,949	07/23/02	Deaton et al.

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FOREIGN PATENT DOCUMENTS					
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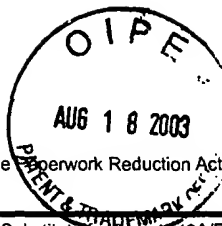
OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS				
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	C1	Belobaba, P. P., "Application of a Probabilistic Decision Model to Airline Seat Inventory Control," Operations Research, Vol. 37, No. 2, pp. 183-197, March – April 1989.		
	C2	Bitran, G. R. and Mondschein, S. V., "An Application of Yield Management to the Hotel Industry Considering Multiple Day Stays," Operations Research, Vol. 43, No. 3, pp. 427-443, May – June 1995		
	C3	Brumelle, S. L., McGill, J. I., "Airline Seat Allocation with Multiple Nested Fare Classes," Operations Research, Operations Research Society of America, Vol. 41, No. 1, pp. 127-137, January-February 1993.		
	C4	Brumelle, S. L., McGill, J. I., Oum, T. H., Sawaki, K., and Tretheway, M. W., "Allocation of Airline Seats Between Stochastically Dependent Demands," Transportation Science, Operations Research Society of America, Vol. 24, No. 3, pp. 183-192, August 1990.		

Examiner Signature		Date Considered	
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	C5	Chapman, S. N., and Carmel, J. I., "Demand/Capacity Management in Health Care: An Application of Yield Management," Health Care Management Review, Vol. 17, No. 4, pp. 45-54, Fall 1992		
	C6	Curry, R. E., "Optimal Airline Seat Allocation with Fare Classes Nested by Origins and Destinations," Aeronomics Incorporated, pp. 1-22, June 1989.		
	C7	Curry, R. E., "Real-Time Revenue Management," Technical Brief, Aeronomics Incorporated, pp. 1-4, Second Quarter 1992.		
	C8	Donaghy, K., McMahon, U., and McDowell, D., "Yield Management: an overview," International Journal of Hospitality Management, Vol. 14, No. 2, pp. 139-150, 1995		
	C9	Dunn, K. D., and Brooks, D. E., "Profit Analysis: Beyond Yield Management," The Cornell Hotel and Restaurant Administration Quarterly, Vol. 31, No.3, pp. 80-90, November, 1990.		
	C10	Hanks, R. D., Cross, R. G., and Noland, R. P., "Discounting in the Hotel Industry: A New Approach," The Cornell Hotel and Restaurant Administration Quarterly, Vol. 33, No. 1, pp. 15-23, February, 1992.		
	C11	Harris, F. H. and Peacock, P., "Hold My Place, Please" Yield Management Improves Capacity-Allocation Guesswork," Marketing Management, Vol. 4, No. 2., pp. 34-46, Fall 1995.		
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	C13	Jauncey, S., Mitchell, I., and Slamet, P., "The Meaning and Management of Yield in Hotels," International Journal of Contemporary Hospitality Management, Vol. 7, No. 4, pp. 23-26, 1995		
	C14	Kimes, S. E., "Yield Management: A Tool for Capacity-Constrained Service Firms," Journal of Operations Management, Vol. 8, No. 4, pp. 348-363, October, 1989.		
	C15	Kuyumcu, A. H., "Gaming with Revenue Management," Talus Solutions, Inc., Scorecard Growth Strategies for the Information Age, Technical Brief, pgs. 1-8, Summer, 2000.		
	C16	Lieberman, W. H., "Debunking the Myths of Yield Management" [online] [retrieved 2001-05-15]. Retrieved from the Internet: <URL: www.abovetheweather.com/ym_myths.pdf >. (First appeared in The Cornell Hotel and Restaurant Administration Quarterly, pp. 34-41, February, 1993).		

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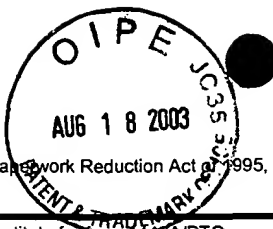
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	C17	Orkin, E. B., "Boosting Your Bottom Line with Yield Management," The Cornell Hotel and Restaurant Administration Quarterly, Vol. 28, No. 4, pp. 52-56, February, 1988.		
	C18	Orkin, E. B., "Strategies for Managing Transient Rates," The Cornell Hotel and Restaurant Administration Quarterly, Vol. 30, No. 4, pp. 34-39, February, 1990.		
	C19	Relihan III, W. J., "The Yield-Management Approach to Hotel-Room Pricing," The Cornell Hotel and Restaurant Administration Quarterly, Vol. 30, No. 1, pp. 40-45, May, 1989.		
	C20	Vinod, B., "Reservation Inventory Control Techniques to Maximize Revenues," The Third International Airline Yield Management Conference, December 3, 1990.		
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	C22	Wollmer, R. D., "An Airline Seat Management Model for a Single Leg Route When Lower Fare Classes Book First," Operations Research, Vol. 40, No. 1, pp. 26-37, January – February 1992.		

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